UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Alvin Bostick,   Case No. 5:14 cv 2539

           Petitioner

   v.   ORDER

Brian Cook[1],

           Respondent

Before me is the Report and Recommendation of Magistrate Judge Nancy Vecchiarelli, filed on March 25, 2016, recommending dismissal of Petitioner Alvin Bostick, Sr.'s action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Under the relevant statute, "[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court." 28 U.S.C. § 636(b) (1); *United States v. Campbell,* 261 F.3d 628 (6th Cir. 2001). In this case, the fourteen day period has elapsed and no objections have been filed.

The failure to file written objections to the Magistrate Judge's report and recommendation constitutes a waiver of a determination by the district court of an issue covered in the report. *Thomas v. Arn,* 728 F.2d 813 (6th Cir. 1984), *aff'd,* 474 U.S. 140 (1985); *see also United States v. Walters,* 638 F.2d 947 (6th Cir. 1981); *Smith v. Detroit Fed'n of Teachers, Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) ("only those specific objections to the magistrate's report made to the district court will be preserved for appellate review").

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[1] While the docket lists the respondent as Hocking Correctional Facility, the Respondent's Return of Writ (Doc. No. 6) states, "[t]he current Warden at that institution, and proper named Respondent, is Mr. Brian Cook."

Following review of the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation (Doc. No. 8) in its entirety as the Order of the Court. Bostick's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 is dismissed.

As the failure to file objections to a magistrate judge's report also waives appellate review, *Smith*, 829 F.2d at 1373, I also decline to issue a certificate of appealability.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge